

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450



Docket No.: 600.1095  
Date: May 27, 2003

DAC  
16

In re application of: **Hendrik FRANK**  
Serial No.: 09/696,812  
Filed: October 26, 2000  
For: **SHEET TRANSPORT SYSTEM FOR A ROTARY PRINTING PRESS**

Sir:

Transmitted herewith is an **Petition under 37 C.F.R. 1.137(a) (3 pages)** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)	(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus**	=	0	x \$	9	\$	x \$	18
INDEP. CLAIMS	* Minus***	=	0	x \$	40	\$	x \$	80
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$135	\$	+	\$270

TOTAL: \$ OR TOTAL: \$

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:  
☐ Petition for extension under 37 C.F.R. 1.136  
☒ Other: Copy of previously filed Postcard, Check for \$730, Notice of Appeal, Petition for Extension (4 pages total)
- ☒ Check(s) in the amount of **\$110.00** is/are attached to cover:  
☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☐ Petition fee for extension under 37 C.F.R. 1.136  
☒ Other: **Petition Fee under 37 CFR 1.17(l)**
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

*William C. Gehris*

William C. Gehris, Reg. No. 38,156  
 DAVIDSON, DAVIDSON & KAPPEL, LLC  
 485 Seventh Avenue, 14<sup>th</sup> Floor  
 New York, New York 10018  
 Tel: (212) 736-1940  
 Fax: (212) 736-2427

RECEIVED  
 JUN 02 2003

OFFICE OF PETITIONS

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on May 27, 2003.  
 DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:

*Jan Decker*  
 Jan Decker

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Application of: Hendrik FRANK  
Serial No.: 09/696,812  
Filed: 10/26/2000  
For: **SHEET TRANSPORT SYSTEM FOR A  
ROTARY PRINTING PRESS**  
Examiner: Ren Yan (Group Art Unit 2854)

Mail Stop: DAC  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

May 27, 2003

**PETITION UNDER 37 C.F.R. § 1.137(a)**  
**FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY**

S I R:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice by the Patent and Trademark Office. Applicants hereby petition for revival of this application.

A grantable petition requires the following items:

**(1) Petition Fee**

Herewith respectfully submitted is a check in the amount of \$110.00 in accordance with 37 C.F.R. § 1.17 (l). In the event any additional fee is due in connection with this response or if any fee has been overpaid, the deficiency or overpayment should be charged to our Deposit Account No. 50-0552.

06/02/2003 AMONDAF1 00000056 09696812

01 FC:1452

110.00 OP

**RECEIVED**  
**JUN 02 2003**  
**OFFICE OF PETITIONS**

**(2) Reply and/or issue fee**

The reply to the above-noted Office action in the form of a Notice of Appeal is enclosed herewith.

**(3) Terminal Disclaimer**

Since this utility patent application was filed after June 8, 1995 no terminal disclaimer is required

**(4) Showing of the cause of unavoidable delay**

The law firm of the undersigned attorney received a phone call from Examiner Yan at the U.S. Patent and Trademark Office with regard to the above-identified U.S. patent application, stating that the application was abandoned due to Applicants' failure to timely respond to the Advisory Action dated December 19, 2002 from the USPTO. The Examiner stated a Notice of Abandonment would be sent but none had been received.

Applicants hereby petition the Assistant Commissioner for Patents under 37 C.F.R. § 1.137(a) for revival of the unavoidably abandoned patent application, and to withdraw the holding of abandonment of this application on the grounds that the undersigned attorneys for Applicants did in fact respond to the December 19, 2002 Advisory Action. The entire delay was unavoidable.

Applicants responded to the December 19, 2002 Advisory Action by mailing to the USPTO on January 24, 2003 a Notice of Appeal. At the same time, Applicants filed a Petition For Two Months Extension of Time. Enclosed are copies of the Notice of Appeal (1 page) and Petition For Two Months Extension of Time (1 page). The Notice of Appeal includes a signed Certificate of First Class Mail dated January 24, 2003 (1 page) and shows that the above-stated


documents were in fact mailed to the USPTO on January 24, 2003, within the three-month period for response to the December 19, 2002 Advisory Action.

According to our financial records, the issued check for \$730.00 (copy enclosed) has not been charged so far. Applicants have also not yet received the return receipt postcard (copy enclosed) that had been filed with submission.

Therefore, Applicants petition the Commissioner for Patents for Revival of this Application, and hereby authorize any charges required to be charged to deposit account No. 50-0552.

Respectfully Submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By:   
William C. Gehris  
Reg. No. 38,156

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14th Floor  
New York, New York 10018  
(212) 736-1940

Our Ref. 600.1095

January 24, 2003

WCG:JMD:cc

RE: Patent Application of:

**Hendrik FRANK**

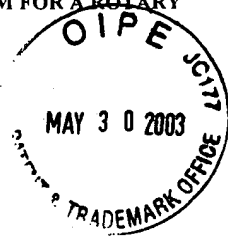
Serial No.: 09/696,812

Filed: October 26, 2000

For **SHEET TRANSPORT SYSTEM FOR A ROTARY  
PRINTING PRESS**

Enclosed are:

- Notice of Appeal (1 page);
- Petition for Extension for 2 months (2 pg);
- Check in the amount of \$730.00



**MAILED WITH FIRST CLASS MAIL CERTIFICATION**

BOX:

RECEIVED BY:

**COPY**

DAVIDSON, DAVIDSON & KAPPEL LLC

P.T.O. ACCOUNT  
485 SEVENTH AVENUE, 14TH FLOOR  
NEW YORK, NY 10018

SIGNATURE BANK  
PRIVATE CLIENT GROUP 722  
NEW ROCHELLE, NY 10804  
1-1357-260

4630

PAY SEVEN HUNDRED THIRTY AND NO/100

TO THE  
ORDER OF

DATE

AMOUNT

01/24/03

\$730.00

Commissioner of Patents & Trademarks



⑈004630⑈ ⑆026013576⑆ 1500281541⑈

DAVIDSON, DAVIDSON & KAPPEL LLC

4630 P.T.O. ACCOUNT

Commissioner of Patents & Trademarks

\$730.00

4630

INV # 600.1095

Notice of Appeal & Two-Month Extension Fees

**COPY**

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCESDocket Number (Optional)  
600.1095

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on January 24, 2003.

Signature Jan Decker

Typed or printed

Name Jan Decker

In re Application of

Hendrik FRANK

Application Number

09/696,812

Filed

10/26/2000

For

SHEET TRANSPORT SYSTEM FOR A ROTARY PRINTING PRESS

Group Art Unit  
2854Examiner  
Ren Yan

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 320.

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ \_\_\_\_\_

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0552. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

Signature

William C. Gehris, Reg. No. 38,156

Typed or printed name

January 24, 2003

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

COPY

RECEIVED  
JUN 02 2003  
OFFICE OF PETITIONS

#13

## PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)  
600.1095

In re Application of Hendrik FRANK

Application Number 09/696,812

Filed 10/26/2000

For SHEET TRANSPORT SYSTEM FOR A ROTARY PRINTING PRESS

Group Art Unit  
2854Examiner  
Ren Yan

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- ☐ One month (37 CFR 1.17(a)(1)) \$ \_\_\_\_\_
- ☒ Two months (37 CFR 1.17(a)(2)) \$410.00
- ☐ Three months (37 CFR 1.17(a)(3)) \$ \_\_\_\_\_
- ☐ Four months (37 CFR 1.17(a)(4)) \$ \_\_\_\_\_
- ☐ Five months (37 CFR 1.17(a)(5)) \$ \_\_\_\_\_

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ \_\_\_\_\_.
- ☒ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-0552.
- I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). \_\_\_\_\_

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

January 24, 2003

Date

Signature

William C. Gehris, Reg. No. 38,156

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED

JUN 02 2003

OFFICE OF PETITIONS

COPY